

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

In re: : Case No.: 17-22468-GLT  
: Chapter: 13  
Brian D. Matson :  
Angela M. Matson :  
: Date: 11/7/2018  
*Debtor(s).* : Time: 11:00

**PROCEEDING MEMO**

**MATTER:** #68 - Second Motion for Loss Mitigation  
#71 - Response filed by Wilmington Trust NA  
[Response due 10/15/2018]

**APPEARANCES:**

Debtor: Matthew M. Herron  
Trustee: Owen Katz  
Wilmington: Karina Velter [CourtCall]

**NOTES:**

Herron: My client has fallen only a few hundred dollars short of the trial modification. The deficiency was sent with very little notice before they declared that the trial payments were inadequate. The plan is on track and the Debtor has a wage attachment in place.

Katz: There is a wage attachment. We have been receiving regular payments under it and they are substantially current. There is a delinquency of \$148.

Velter: Our issue is that there was not an increase in the plan payment to account for the modified trial payments. The trial modification was for \$1,581 per month.

Herron: My client has indicated that they can make the \$1,581 payments. The Debtors should be able to be wage attached at that amount.

Velter: The Debtors would have to submit new paperwork, they could not just start at the \$1,581 that was offered six months ago.

Court: The Debtors have been consistent in their payments, even though they were short. If the Debtors are able to have the wage attachment increased to the amount that was previously discussed, I fail to see the damage to your client.

**OUTCOME:**

1. The Second Motion for Loss Mitigation [Dkt. No. 68] is approved subject to the Debtors implementing a wage attachment in the amount of \$1,581 per month (O/E).
2. On or before November 21, 2018, Debtors to file an amended wage attachment at \$1,581 per month (Text order to issue).

**DATED:** 11/7/2018